IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NANCY E. LEWEN :

Civil Action No. 1:17-cv-148-BR

Plaintiff,

.

v.

Magistrate Judge Susan Paradise

Baxter

PENNSYLVANIA SOLDIERS' AND

SAILORS' HOME (PSSH), BARBARA

RAYMOND, PENNSYLVANIA :

DEPARTMENT OF MILITARY AND : VETERANS AFFAIRS, BRIGADIER :

GENERAL ANTHONY CARRELLI,

PENNSYLVANIA STATE CIVIL SERVICE : COMMISSION, CHAIRMAN BRYAN R. :

LENTZ, COMMISSSIONER ODELFA : SMITH PRESTON AND COMMISSIONER :

GREGORY M. LANE,

:

Defendant. :

REPLY TO PLAINTIFFS RESPONSE TO MOTION TO CONTINUE HEARING

ON INJUNCTION

And now comes the Defendants, who file the within reply to Plaintiffs response to motion to continue the 11/14/2017 11 a.m. Hearing on the Motion for Injunctive Relief, and in support thereof set forth as follows:

- 1. Plaintiff has correctly pointed out that Defense Counsel's CLE is scheduled for 11/13, not 11/14.
- 2. Defense counsel had incorrectly entered the CLE on his calendar.
- 3. Defense counsel is still scheduled for 2 case management conferences in the afternoon, in the case of Stafford v Mercer, et al 17 cv 749, scheduled at 2:15; and in the case of Sapar v DMVA, 17 cv 128 at 1:30.

- 4. To the extent the court intends to hear evidence on the Injunction, Defense counsel continues to believe his afternoon court commitments will prevent his attendance.
- 5. To the extent the court wishes to discuss the injunction, and proceed with determining if limited discovery is required prior to a hearing, and or to take other steps aside from the taking of evidence, The undersigned believes he can attend the telephone proceeding.

Respectfully submitted,

Attorneys for Defendants,

JOSH SHAPIRO Attorney General

/s/Michael E Kennedy
Michael E Kennedy
Deputy Attorney General
PA ID 52780

KENNETH JOEL
Chief Deputy Attorney General
Chief, Litigation Section
OFFICE OF ATTORNEY GENERAL
6th Floor, Manor Complex
564 Forbes Avenue
Pittsburgh, PA 15219

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this motion and the proposed order were served on Plaintiff via ECF filing and by first class US mail to her address of record, 3342 W. 12th st, Erie PA 16505 on November 8, 2017

/s/ Michael E. Kennedy